UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

--X
                                                                    :
ENIGMA SOFTWARE GROUP USA, LLC,   :
                                         Plaintiff,   :
                                                                    :
                    -v-   :
                                                                    :
MALWAREBYTES INC.,   :
                                                                    :
                                         Defendant.   :
                                                                    :
--X

16 Civ. 7885 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On November 16, 2016, defendants filed a motion to dismiss the complaint under Rule
12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-
one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a
matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by
December 7, 2016. No further opportunities to amend will ordinarily be granted. If plaintiff
does amend, by December 28, 2016, defendant shall: (1) file an answer; (2) file a new motion to
dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the
previously filed motion to dismiss.[1]

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any
opposition to the motion to dismiss by December 7, 2016. Defendants' reply, if any, shall be
served by December 14, 2016. At the time any reply is served, the moving party shall supply the

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[1] If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's
opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days
after that.

Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the

Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

        SO ORDERED.

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                                            PAUL A. ENGELMAYER
                                            United States District Judge

Dated: November 17, 2016
        New York, New York